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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,973	03/15/2004	Bryan A. Scott	19001.00081	2557

7590 09/07/2007
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EXAMINER

SAFAIPOUR, BOBBAK

ART UNIT	PAPER NUMBER
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2618

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09/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/801,973	Applicant(s) SCOTT, BRYAN A.	
	Examiner Bobbak Safaipoor	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by **Acker (US 7,263,329 B2)**.

Consider **claim 15**, Acker discloses software system, comprising: a front-end logic system (figures 1 and 2; col. 4, lines 11-34; col. 5, lines 54-56); the front end logic system adapted to receive a satellite based radio signal (figures 1 and 2; col. 4, lines 11-34; col. 5, lines 54-56); a decoder logic system (figure 6; col. 5, line 53 to col. 6, line 17); the decoder logic system adapted to convert a satellite radio based signal into a satellite radio data-element (figure 6; col. 5, line 53 to col. 6, line 17); and the decoder logic system also adapted to transfer the data-

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element to a handheld computer software system (col. 5, lines 53 to col. 6, line 17; col. 7, line 58 to col. 8, line 33).

Consider **claim 16**, and as applied to **claim 15 above**, Acker discloses a transmission logic system wherein the software system is adapted to transmit the satellite radio data-element. (figure 6; col. 5, line 53 to col. 6, line 17)

Consider **claim 17**, Acker discloses a method comprising: detecting a satellite signal at an apparatus (figures 1 and 2; col. 4, lines 11-34; col. 5, lines 54-56); automatically tuning the signal (col. 5, line 53 to col. 6, line 17; col. 6, lines 36-55; col. 7, lines 15-29; col. 8, lines 41-67; col. 13, lines 37-62); decoding the tuned signal to a satellite data-element (col. 5, line 53 to col. 6, line 17; col. 6, lines 36-55; col. 7, lines 15-29; col. 8, lines 41-67; col. 13, lines 37-62); the data-element comprising an audio signal element (figure 6 “audio element”; col. 5, lines 63-65); and dispatching the satellite data-element via a transmitter logic (col. 4, line 19 to col. 6, line 17; col. 7, line 58 to col. 8, line 33).

Consider **claim 18**, and as applied to **claim 17 above**, Acker discloses tuning a command from a handheld computing device. (col. 5, line 53 to col. 6, line 17; col. 6, lines 36-55; col. 7, lines 15-29; col. 8, lines 41-67; col. 13, lines 37-62)

Consider **claim 19**, and as applied to **claim 17 above**, Acker discloses verifying that the receiver is registered with a satellite radio service. (abstract; col. 4, lines 19-45)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-4, 7-10, 12-14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Acker (Us 7,263,329 B2)** in view of **Scott et al (US 2003/0172218 A1; hereinafter Scott)**.

Consider **claim 1**, Acker discloses an apparatus (abstract), comprising: a satellite receiver (abstract; figure 8; col. 13, lines 13-33); the satellite receiver adapted to receive a satellite signal (figures 1 and 2; col. 4, lines 11-34; col. 5, lines 54-56); a decoder (figure 6; col. 5, lines 57-59); the decoder coupled to the satellite receiver (figure 6); the decoder adapted to convert a satellite signal into a satellite data-element (col. 5, lines 53-67); the satellite data-element comprising an audio signal element (figure 6 "audio element"; col. 5, lines 63-65).

Acker fails to specifically disclose a handheld compatible bus interface; and the handheld compatible bus interface coupled to the decoder.

In related art, Scott discloses a handheld compatible bus interface (figures 1 and 2; paragraphs 10, 48, 120 and 162); and the handheld compatible bus interface coupled to the decoder (figures 1 and 2; paragraphs 10, 48, 120 and 162).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Scott into the teachings Acker in order to transfer data element from a device to a handheld computer.

Consider **claim 10**, Acker discloses apparatus (abstract), comprising: a satellite receiver (abstract; figure 8; col. 13, lines 13-33); the satellite receiver adapted to receive a satellite signal (figures 1 and 2; col. 4, lines 11-34; col. 5, lines 54-56); a decoder (figure 6; col. 5, lines 57-59); the decoder coupled to the satellite receiver (figure 6); the decoder capable of converting a satellite based signal into a satellite data-element (col. 5, lines 53-67); a transmitter logic (figures 2-6; col. 4, line 19 to col. 5 line 52); and the transmitter logic coupled to the decoder (figures 2-6; col. 4, line 19 to col. 5 line 52).

Acker fails to specifically disclose a handheld compatible bus interface; and the handheld compatible bus interface coupled to the decoder.

In related art, Scott discloses a handheld compatible bus interface (figures 1 and 2; paragraphs 10, 48, 120 and 162); and the handheld compatible bus interface coupled to the decoder (figures 1 and 2; paragraphs 10, 48, 120 and 162).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Scott into the teachings Acker in order to transfer data element from a device to a handheld computer.

Consider **claim 2**, and as **applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention wherein the apparatus is embodied as a handheld computing device sub-component, and the apparatus is integrated into a handheld computing device. (Acker: abstract; figures 6 and 8; col. 7, lines 58-65; col. 13, lines 13-33)

Consider **claim 3**, and as **applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention wherein the apparatus is communicatively coupled to a handheld computing device. (Acker: col. 7, lines 58-65)

Consider **claim 4**, and as **applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention wherein the transmitter logic coupled to the decoder. (Acker: figures 2-6; col. 4, line 19 to col. 5 line 52)

Consider **claim 7**, and as **applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention wherein the transmitter logic is coupled to the decoder, the transmitter logic adapted to transmit a data element. (Acker: col. 5, lines 53-67)

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Consider **claim 8**, and **as applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention wherein memory is coupled to the decoder, the memory storing a satellite radio handheld computer accessory algorithm. (Acker: figure 7; col. 7, line 66 to col. 8, line 12)

Consider **claim 9**, and **as applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention wherein the satellite receiver is a satellite radio receiver. (Acker: abstract)

Consider **claim 12**, and **as applied to claim 10 above**, Acker, as modified by Scott, discloses the claimed invention wherein the memory is coupled to the decoder, the memory storing a satellite radio handheld computer accessory algorithm. (Acker: figure 7; col. 7, line 66 to col. 8, line 12)

Consider **claim 13**, and **as applied to claim 10 above**, Acker, as modified by Scott, discloses the claimed invention wherein the satellite data-element comprises an audio signal element. (Acker: figure 6 "audio element"; col. 5, lines 63-65)

Consider **claim 14**, and **as applied to claim 10 above**, Acker, as modified by Scott, discloses the claimed invention wherein the satellite data-element comprises code. (Acker: figure 6; col. 4, line 19 to col. 5, line 59)

Consider **claim 20**, and as **applied to claim 17 above**, Acker discloses the claimed invention wherein: a satellite receiver (abstract; figure 8; col. 13, lines 13-33); the satellite receiver adapted to receive a satellite signal (figures 1 and 2; col. 4, lines 11-34; col. 5, lines 54-56); a decoder coupled to the satellite receiver (figure 6); the decoder adapted to convert a satellite signal into a satellite data-element (col. 5, lines 53-67); and the satellite data-element comprising an audio signal element (figure 6 "audio element"; col. 5, lines 63-65).

Acker fails to specifically disclose a handheld compatible bus interface; and the handheld compatible bus interface coupled to the decoder.

In related art, Scott discloses a handheld compatible bus interface (figures 1 and 2; paragraphs 10, 48, 120 and 162); and the handheld compatible bus interface coupled to the decoder (figures 1 and 2; paragraphs 10, 48, 120 and 162).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Scott into the teachings Acker in order to transfer data element from a device to a handheld computer.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Acker (US 7,263,329 B2)** in view of **Scott et al (US 2003/0172218 A1; hereinafter Scott)** and in further view of **Cameron et al (US Patent #7,032,164 B2; hereinafter Cameron)**.

Consider **claim 5**, and as **applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention except for wherein the satellite radio receiver and decoder are integrated into a single chip.

In related art, Cameron et al disclose a single chip digital receiver supporting the decoder.
(col. 12, lines 29-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Cameron into the teachings of Ackers and Scott to have a single chip which makes the apparatus smaller and more compact and also improves the design efficiency for a simpler board layout.

Claims 6 and 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Acker (Us 7,263,329 B2)** in view of **Scott et al (US 2003/0172218 A1; hereinafter Scott)** and in further view of **Patsiokas (US Patent #6,810,233 B2)**.

Consider **claim 6**, and **as applied to claim 1 above**, Acker, as modified by Scott, discloses the claimed invention except for wherein transmitter logic coupled to the decoder, the transmitter logic adapted to transmit FM radio.

In related art, Patsiokas disclose an apparatus and method for transmitting audio signals from a satellite broadcast receiver to a local receiver using a wireless link. A conventional FM tuner is provided with a circuit to transmit FM signals. The FM frequency bands are then broadcast from a transmitter in the vehicle on several fixed frequencies on the radio receiver.
(col. 7, line 63 to col. 8, line 70)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Patsiokas into the teachings of Ackers and Scott to provide a multi functional receiver that has playback of audio signals from a several auxiliary

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audio sources wherein the user can select one of the frequencies on the vehicle radio receiver to listen to the transmitted signals.

Consider **claim 11**, and as **applied to claim 10 above**, Acker, as modified by Scott, discloses the claimed invention except for wherein the FM transmitter logic is adapted to broadcast a satellite data-element to an FM receiver.

In related art, Patsiokas discloses FM transmitter logic is adapted to broadcast a satellite data-element to an FM receiver. (Patsiokas: col. 7, line 63 to col. 8, line 70)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Patsiokas into the teachings of Ackers and Scott to provide a multi functional receiver that has playback of audio signals from a several auxiliary audio sources wherein the user can select one of the frequencies on the vehicle radio receiver to listen to the transmitted signals.

Conclusion

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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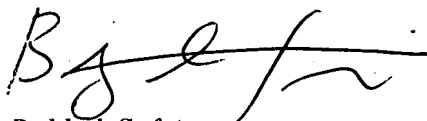
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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Bobbak Safaipour whose telephone number is (571) 270-1092. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.


If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lana Le can be reached on (571) 272-7891. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.


Bobbak Safaipour
B.S./bs

August 30, 2007


8-29-07
LANA LE
PRIMARY EXAMINER